

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

Wastewater Discharge Authorization Program

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February 2, 2009

Certified Mail 7007-0710-0004-3850-6954

Mr. Bob Effinger
Alaska Department of Transportation & Public Facilities
2301 Peger Road
Fairbanks, AK 99709

Subject: Noyes Slough, ADOT&PF, Bridge/Roads
Reference No. POA-2007-1741

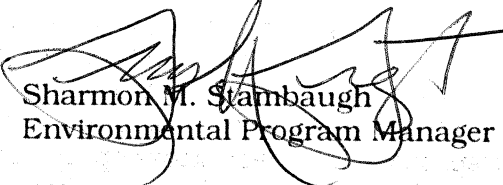
Dear Mr. Effinger:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation is issuing the enclosed Certificate of Reasonable Assurance for the construction of two bridges and four outfall pipes in Fairbanks, Alaska.

Department of Environmental Conservation regulations provide that any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 - 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Director, Division of Water, 555 Cordova St., Anchorage, AK 99501, within 15 days of the permit decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,


Sharmon M. Stambaugh
Environmental Program Manager

Enclosure

cc: (with encl.)

Sharon Seim, ACOE, Fairbanks
Mac McLean, ADF&G/Habitat, Fairbanks
Bob Henszey, USF&WS, Fairbanks

Tracy DeGering EPA, AK Operations
Sean Palmer, ADEC Anchorage

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, in accordance with Section 401 of the Federal Clean Water Act and the Alaska Water Quality Standards, is issued to the Alaska Department of Transportation and Public Facilities, 2301 Peger Road, Fairbanks, AK 99709 for the construction of two bridges and four outfall pipes. The applicant requests authorization to construct the Barnette Street Bridge over the Chena River and to replace the Noyes Slough Bridge in Fairbanks, Alaska. The proposed work would discharge approximately 2,350 cubic yards of clean fill into approximately 0.24 acres of waters of the U.S. for the two bridges and four outfall pipes, and require an additional placement of approximately 697 cubic yards of temporary fill into 0.07 acres of waters of the U.S. during construction. Work would also include constructing a pedestrian path below and between the new Barnette Street Bridge and the existing Cushman Street Bridge.

Both the Chena River and Noyes Slough are currently listed as Category 5 water bodies - impaired by pollutant(s) for one or more designated uses and requiring a Total Maximum Daily Load (TMDL), Clean Water Act (CWA) Section 303(d) Listed. The Chena River has been on the Section 303(d) list since 1990 for turbidity and sediment. Noyes Slough has been on the Section 303(d) list since 1994 for sediment, petroleum hydrocarbons, oil, grease, and residue standards for sediment, petroleum products and debris.

The proposed activity is located at Section 3, T. 1 S., R 1 W., Fairbanks Meridian, in Fairbanks, Alaska.

Public notice of the application for this certification was given as required by 18 AAC 15.180.

Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a Corps of Engineers permit, reference number POA-2007-1741 and a discharge may result from the proposed activity.

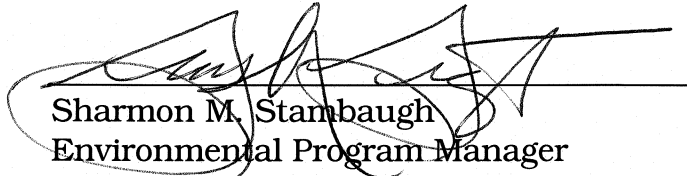
Having reviewed the application and comments received in response to the public notice, the Alaska Department of Environmental Conservation certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the Clean Water Act and the Alaska Water Quality Standards, 18 AAC 70, provided that the following alternative measures are adhered to.

1. Petrochemical and other hazardous substance spill cleanup equipment shall be available on site. Material such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze or other pollutant spills as a result of construction activities.

2. Reasonable precautions and controls must be used to prevent incidental and accidental discharge of petroleum products. Fuel storage and handling activities for earth moving equipment must be sited and conducted so there is no petroleum contamination of surface runoff and water bodies.
3. This project shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the EPA General Permit for Construction Activities even though the site may disturb less than one acre (the minimum for being required to be covered under EPA's General Permit for Storm Water Discharges from Large and Small Construction Activities in Alaska (AKR100000)).
4. Prior to fill placement, a silt fence or similar structure shall be installed on a line parallel to and within 5' of the proposed fill toe of slope within all wetland areas that contain standing water that is connected to any natural body of water or where the fill toe is within 25' of such a water body. This structure shall remain in place until the fill has been stabilized or contained in another manner.
5. Any disturbed ground and exposed soil not covered with fill must be stabilized and revegetated with endemic species, grasses, or other suitable vegetation in an appropriate manner to minimize erosion and sedimentation, so that a durable vegetative cover is established in a timely manner.
6. All work areas, material access routes, and surrounding wetlands involved with the road construction shall be clearly delineated and marked in such a way that equipment operators do not operate outside of this corridor.
7. Prior to and during placement of fill/riprap, a silt curtain shall be installed and maintained in Noyes Slough and Chena River. The curtain shall completely enclose the fill area so that it retains all sediment laden, turbid water within the footprint of the construction site. The sediment curtain shall remain in place until construction is completed and the fill's side slopes have been stabilized.
8. Prior to placement of any structures on the site, the applicant shall obtain a storm water plan approval for this project from the Alaska Department of Environmental Conservation. Contact Greg Drzewiecki, ph. 907-269-7692 for said approval.
9. During all work associated with this project, construction equipment shall not be operated below the ordinary high water mark if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected on a daily basis for leaks. If leak are found, the equipment shall not be used and pulled from service until the leak is repaired.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date 2/2/2009


Sharmon M. Stambaugh
Environmental Program Manager